

(TADIL-J) series message standard is employed by the system as defined in NATO Standardization Agreement (STANAG) 5516 and U.S. Military Standard (MIL-STD) 6016. The embedded hardware features provide communications security. The AN/USQ-190 Multifunctional Information Distribution System Joint Tactical Radio System (MIDS JTRS) builds on MIDS-LVT's capabilities with the addition of Concurrent Multi-Netting (CMN) and Concurrent Contention Receive (CCR) functions. CMN and CCR dramatically expand the number of platforms and network-enabled systems that can be reliably included in a Link 16 network. These enhancements allow a single MIDS JTRS terminal to simultaneously receive messages on up to four nets, compared with on a single net in terminals without CMN and CCR, within a single Link 16 time slot, allowing a user to "hear" messages from up to three additional sources at once. Tactical Targeting Network Technology (TTNT) is built into some MIDS JTRS terminals that adds an additional advanced capability waveform.

2. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

3. In a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that Australia can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Australia.

ARMS SALES NOTIFICATION

Mr. MENENDEZ, Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. ROBERT MENENDEZ,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of

the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 22-24, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Nigeria for defense articles and services estimated to cost \$997 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

JAMES A. HURSCHE,
Director.

Enclosures:

TRANSMITTAL NO. 22-24

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Nigeria.

(ii) Total Estimated Value:

Major Defense Equipment* \$521 million.

Other \$476 million.

Total \$997 million.

Funding Source: National Funds.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Twelve (12) AH-1Z Attack Helicopters.

Twenty-eight (28) T-700 GE 401C Engines (24 installed, 4 spares).

Two thousand (2,000) Advanced Precision Kill Weapon System (APKWS) Guidance Sections.

Non-MDE: Also included is Night Vision Cueing Display (NVCD); commercial variant GPS with Standard Positioning Service (SPS); communication equipment; electronic warfare systems; AN/AVS-9 Aviator's Night Vision Imaging System; M197 20mm machine gun; Target Sight System (TSS); support equipment; spare engine containers; spare and repair parts; tools and test equipment; technical data and publications; personnel training and training equipment; Mission Planning system; U.S. Government and contractor engineering; technical, and logistics support services; U.S. Government and contractor assistance and oversight of facilities construction to include the provisioning of plans, drawings and specifications; \$25M of case funds will be allocated for institutional and technical assistance to the Armed Forces of Nigeria (AFN) to continue Air Ground Integration (AGI) program, which includes developing targeting processes that are legally compliant with International Humanitarian Law and the Laws of Armed Conflict; and other related elements of logistics and program support.

(iv) Military Department: Navy (NI-P-SAO).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: April 14, 2022.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Nigeria—AH-1Z Attack Helicopter Related FMS Acquisitions

The Government of Nigeria has requested to buy twelve (12) AH-1Z Attack Helicopters; twenty-eight (28) T-700 GE 401C engines (24 installed, 4 spares); and two thousand (2,000) Advanced Precision Kill Weapon System (APKWS) guidance sections. Also included is Night Vision Cueing Display (NVCD); commercial variant GPS with Standard Positioning Service (SPS); communication equipment; electronic warfare systems; AN/AVS-9 Aviator's Night Vision Imaging System;

M197 20mm machine gun; Target Sight System (TSS); support equipment; spare engine containers; spare and repair parts; tools and test equipment; technical data and publications; personnel training and training equipment; Mission Planning system; U.S. Government and contractor engineering; technical, and logistics support services; U.S. Government and contractor assistance and oversight of facilities construction to include the provisioning of plans, drawings and specifications; \$25M of case funds will be allocated for institutional and technical assistance to the Armed Forces of Nigeria (AFN) to continue Air Ground Integration (AGI) program, which includes developing targeting processes that are legally compliant with International Humanitarian Law and the Laws of Armed Conflict; and other related elements of logistics and program support. The total estimated program cost is \$997 million.

This proposed sale will support the foreign policy goals and national security objectives of the United States by improving the security of a strategic partner in Sub-Saharan Africa.

The proposed sale will better equip Nigeria to contribute to shared security objectives, promote regional stability and build interoperability with the U.S. and other Western partners. This sale will be a major contribution to U.S. and Nigerian security goals. Nigeria will have no difficulty absorbing the equipment and services into its armed forces.

The proposed sale of this equipment will not alter the basic military balance in the region.

The principal contractors will be Bell Helicopter, Textron, Fort Worth, TX; and General Electric Company, Lynn, MA. There are no known offset agreements in connection with this potential sale.

Implementation of this proposed sale will require multiple trips by U.S. Government and contractor representatives to participate in program and technical reviews plus training and maintenance support in country, on a temporary basis, for a period of five (5) years. It will also require approximately three (3) contractor support representatives to reside in country for a period of two (2) years to support this program.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 22-24

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The Z-model has an integrated avionics system (IAS) which includes two (2) mission computers and an automatic flight control system. Each crew station has two (2) 8x6-inch multifunction liquid crystal displays (LCD) and one (1) 4.2x4.2-inch dual function LCD display. The communications suite will have NON-COMSEC AR-1500 Ultra High Frequency Very High Frequency (UHF/VHF) radios with associated communications equipment. The navigation suite includes a commercial variant Standard Positioning System (SPS), a digital map system and a low-air speed air data subsystem, which allows weapons delivery when hovering.

2. The crew is equipped with the Optimized Top Owl (OTO) helmet-mounted sight and display system. The OTO has a Day Display Module (DDM) and a Night Display Module (NDM). The AH-1Z has survivability equipment including the AN/AAR-47 Missile Warning and Laser Detection System, AN/ALE-47 Counter Measure Dispensing System (CMDS) and the AN/APR-39 Radar Warning Receiver

(RWR) to cover countermeasure dispensers, radar warning, incoming/on-way missile warning and on-fuselage laser-spot warning systems.

3. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

4. If a technologically-advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

5. A determination has been made that Nigeria can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

6. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Nigeria.

ARMS SALES NOTIFICATION

Mr. MENENDEZ. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. ROBERT MENENDEZ,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: On April 23, 2022, the Secretary of State, pursuant to section 36(b) of the Arms Export Control Act, as amended, determined that an emergency exists which requires the immediate sale of the defense articles and defense services identified in the attached transmittal to Ukraine through the Foreign Military Sales process. Ukraine's military forces require urgent support to enable them to resist the ongoing Russian invasion. Ukraine has identified a number of urgent needs to support its effort to repel the invasion, including ammunition. Immediate delivery of ammunition will help Ukraine in its continuing battle against Russian ground forces. It is in U.S. national security interests to facilitate these transfers in support of Ukraine's defense of its territory.

Please find attached (Tab 1) the Secretary of State Determination and Justification waiving the Congressional review requirements under Section 36(b)(1) of the Arms Ex-

port Control Act, as amended, for the attached Transmittal of the proposed Letter of Offer and Acceptance to the Ukraine for defense articles and services pursuant to the notification requirements of Section 36(b)(1) of the Arms Export Control Act (AECA), as amended. The determination and detailed justification are a part of the Transmittal. After this letter is delivered to your office, we plan to issue a news release to notify the public of the proposed sale.

Sincerely,

JAMES A. HURSCH,
Director.

Enclosures.

DETERMINATION UNDER SECTION 36(B)(1) OF THE ARMS EXPORT CONTROL ACT, 22 U.S.C. 2776(b)(1)

Pursuant to section 36(b)(1) of the Arms Export Control Act, 22 U.S.C. 2776, I hereby determine that an emergency exists which requires the immediate sale of the following defense articles and services in the national security interest of the United States:

Various rounds of non-standard ammunition to include, but not limited to, the following:

152mm rounds for 2A36 Giatsint.
152mm rounds for D-20 cannons.
VOG-17 for automatic grenade launcher AGS-17.
120mm mortar rounds (non-NATO).
122mm rounds for 2S1 Gvozdika; BM-21 GRAD Rockets.
300mm rounds/rockets for MLRS "Smerch".
VOG-25 grenades for under barrel grenade launcher GP-25.
82mm mortar rounds.
125mm HE ammunition for T-72.
152mm rounds for 2A65 Msta.
Transportation.
Logistical and program support.

This determination, along with the accompanying Memorandum of Justification, shall be transmitted to Congress with the applicable notifications.

MEMORANDUM OF JUSTIFICATION FOR THE EMERGENCY AUTHORIZATION OF THE SALE OF NON-STANDARD AMMUNITION TO UKRAINE UNDER SECTION 36(b)(1) OF THE ARMS EXPORT CONTROL ACT

The Secretary of State has executed his delegated authority to determine that an emergency exists requiring the sale of non-standard ammunition to the Government of Ukraine in the national security interest of the United States and the immediate issuance of the associated letter of offer.

In the early morning of February 24, Russia launched a full-scale, premeditated attack against Ukraine. Russia's massive military force buildup (with over 150,000 soldiers and equipment along the Russia-Ukraine and Belarus-Ukraine borders) enabled it to invade Ukraine with devastating consequences. This incursion came after Russia's cyber operations attacks against Ukrainian government infrastructure, Russian President Putin's purported recognition on February 21 of the so-called "Luhansk People's Republic" and "Donetsk People's Republic" as independent states, and the Kremlin's subsequent deployment of Russian military forces into the Donbas. On February 24, President Putin announced a "special military operation" in Ukraine, and Russian forces launched premeditated, unprovoked, and unjustified attacks against locations throughout Ukraine, including civilian infrastructure, in a full-scale invasion.

Over the last eight years, the U.S. government has provided robust levels of defense support to Ukraine to help counter Russia's aggressive and destabilizing activities. Ukraine also has increasingly purchased U.S. military equipment using national funds.

Since the beginning of the conflict in 2014, the United States has provided more than \$6 billion in security assistance to Ukraine, including through the Department of Defense's (DoD) Ukraine Security Assistance Initiative (USAI), DoD's security assistance authority under 10 U.S.C. 333, State's foreign military financing (FMF) program, and presidential drawdowns. Through these programs, which accelerated in the immediate lead-up to and following the February 24 all-out Russian attack, the United States has provided and is providing Ukraine with military equipment such as anti-armor missile systems, man-portable air defense systems, unmanned aerial systems, patrol boats, helicopters, artillery, grenade launchers, counter-artillery and counter-mortar radars, military medical equipment, electronic warfare detection systems, tactical gear, ammunition, and support for ongoing training programs.

Although U.S. security assistance has improved Ukraine's overall defense posture and capabilities, Ukraine's military forces require urgent additional support to enable them to continue to defend against the ongoing Russian invasion. There is an urgent and pressing need to provide nonstandard ammunition to Ukraine's military forces, which is essential to enable those forces to repel Russian advances into their territory—particularly a renewed offensive in the east and south. As Ukrainian forces expend ammunition to defend their country, their daily replenishment requirements continue to increase. With critically low stores of ammunition for their fielded systems, we must act immediately to provide the required ammunition to sustain Ukraine in this conflict. The sale of this ammunition is expected to be funded from FMF for Ukraine.

For the reasons discussed above, an emergency exists which requires this sale under the Arms Export Control Act, in the national security interest of the United States and the immediate issuance of the associated letter of offer.

TRANSMITTAL NO. 22-30

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Ukraine.

(ii) Total Estimated Value:
Major Defense Equipment* \$0 million.
Other \$165 million.
Total \$165 million.

Funding Source: Foreign Military Financing.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): None.

Non-MDE: Various rounds of non-standard ammunition to include, but not limited to, the following: 152mm rounds for 2A36 Giatsint; 152mm rounds for D-20 cannons; VOG-17 for automatic grenade launcher AGS-17; 120mm mortar rounds (non-NATO); 122mm rounds for 2S1 Gvozdika; BM-21 GRAD Rockets; 300mm rounds/rockets for MLRS "Smerch"; VOG-25 grenades for under barrel grenade launcher GP-25; 82mm mortar rounds; 125mm HE ammunition for T-72; 152mm rounds for 2A65 Msta; transportation; and other related elements of logistical and program support.

(iv) Military Department: Army (UP-B-UCS).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: April 24, 2022.